

3d March, 1800.

*Read the first and second time, and committed to a Committee of the whole House  
on Thursday next.*

## A Bill

For the better government of the Navy of the United States, and repealing the act on the same subject, passed the second day of March in the year one thousand seven hundred and ninety-nine.

1 SEC. I. **B**E it enacted by the Senate and House of Representatives of  
2 the United States in Congress assembled, That the following rules and  
3 regulations be adopted and put in force, for the government of the  
4 Navy of the United States.

1 Art. I. The commanders of all ships and vessels of war belonging  
2 to the Navy are strictly enjoined and required to shew in themselves  
3 a good example of virtue, honor, patriotism and subordination;  
4 and be vigilant in inspecting the conduct of all such as are placed  
5 under their command, and to guard against and suppress, all disso-  
6 lute, and immoral practices, and to correct all such as are guilty of  
7 them according to the usage of the sea service.

1 II. The commanders of all ships and vessels in the Navy,  
2 having chaplains on board, shall take care that divine service be

3 performed in a solemn, orderly, and reverent manner twice a day,  
 4 and a sermon preached on Sunday, unless bad weather, or other  
 5 extraordinary accidents prevent it; and that they cause all, or as  
 6 many of the ships company as can be spared from duty to attend at  
 7 every performance of the worship of Almighty God.

1 III. Any officer, or other person in the Navy who shall be guilty of  
 2 oppression, cruelty, fraud, profane swearing, drunkenness, or any  
 3 other scandalous conduct tending to the destruction of good morals  
 4 shall, if an officer, be cashiered, or suffer such other punishment  
 5 as a court martial shall adjudge; if a private shall be put in irons,  
 6 or flogged at the discretion of the captain not exceeding twelve  
 7 lashes; but if the offence require severer punishment, he shall be  
 8 tried by a court martial, and suffer such punishment as said court  
 9 shall inflict.

22. 1 IV. Every commander, or other officer who shall, upon signal  
 2 for battle, or on sight of any vessel or vessels of an enemy, or who,  
 3 on the probability of an engagement neglect to clear his ship for  
 4 action, or shall not use his utmost exertions to bring his ship to  
 5 battle, or shall fail to encourage, in his own person, his inferior  
 6 officers and men to fight courageously, such offender shall suffer  
 7 death, or such other punishment as a court martial shall adjudge:  
 8 and if any person in the Navy shall treacherously yield, or pusilani-  
 9 mously cry for quarters, he shall suffer death on conviction thereof  
 10 by a general court martial.

1 V. Every officer or private who shall not properly observe the or-  
 2 ders of his commanding officer, or shall not use his utmost exerti-  
 3 ons to carry them into execution when ordered to prepare for,

4 join in, or when actually engaged in battle; or shall, at such time  
 6 basely desert his duty or station, either then, or while in sight of an  
 7 enemy, or shall induce others to do so, every person so offending,  
 8 shall, on conviction thereof by a general court martial, suffer death,  
 9 or such other punishment as the said court shall adjudge.

23. 1 VI. Every officer or private who shall, through cowardice,  
 2 negligence, or disaffection, in time of action, withdraw from, or  
 3 keep out of battle, or shall not do his utmost to take or destroy every  
 4 vessel which it is his duty to encounter, or shall not do his utmost  
 5 endeavour to afford relief to ships belonging to the United States,  
 6 every such offender shall, on conviction thereof by a general court  
 7 martial, suffer death, or such other punishment as the said court  
 8 shall adjudge.

21. 1 VII. The commanding officer of every ship or vessel in the Navy  
 2 who shall capture, or seize upon any vessel as a prize, shall careful-  
 3 ly preserve all the papers and writings found on board, and transmit  
 4 the whole of the originals unmutilated to the judge of the district to  
 5 which such prize is ordered to proceed, and shall transmit to the  
 6 Navy Department, and to the agent appointed to pay the prize  
 7 money, complete lists of the officers and men, entitled to a share of  
 8 the capture inserting therein the quality of every person rating, on  
 9 pain of forfeiting his whole share of the prize money resulting from  
 10 such capture, and suffering such further punishment as a court mar-  
 11 tial shall adjudge.

21. 1 VIII. No person in the Navy shall take out of a prize or vessel seized as  
 2 prize, any money, plate, goods, or any part of her rigging, unless  
 3 it be for the better preservation thereof, or absolutely necessary for

4 the use of any of the vessels of the United States, before the same  
 5 shall be adjudged lawful prize by a competent court : but the whole,  
 6 without fraud, concealment or embezzlement, shall be brought in  
 7 and judgment passed thereon, upon pain that every person offend-  
 8 ing herein shall forfeit his share of the capture, and suffer such  
 9 further punishment as a court martial, or the court of admiralty in  
 10 which the prize is adjudged shall impose.

21. 1 IX. No person in the Navy shall strip of their clothes or pillage,  
 2 or in any manner maltreat persons taken on board a prize, on pain  
 3 of such punishment as a court martial shall adjudge.

33. 1 X. No person in the Navy shall give, hold, or entertain any  
 2 intercourse or intelligence to or with any enemy or rebel without  
 3 leave from the President of the United States, the Secretary of the  
 4 Navy, the commander in chief of the fleet, or the commander of  
 5 a squadron, or in case of a vessel acting singly, from his com-  
 6 manding officer on pain of death, or such other punishment as a  
 7 court martial shall adjudge.

34. 1 XI. If any letter or message from an enemy or rebel be con-  
 2 veyed to any officer or private of the Navy, and he shall not, with-  
 3 in twelve hours make the same known, having opportunity so to  
 4 do, to his superior, or commanding officer, or if any officer com-  
 5 manding a ship, or vessel, being acquainted therewith, shall not,  
 6 with all convenient speed, reveal the same to the commander in  
 7 chief of the fleet, commander of a squadron, or other proper  
 8 officer whose duty it may be to take cognizance thereof, every such  
 9 offender shall suffer death, or such other punishment as a court  
 10 martial shall adjudge.

35. 1 XII. Spies, and all persons who shall come or be found in the ca-  
 2 pacity of Spies, or who shall bring, or deliver any seducing letter or  
 3 message from an enemy or rebel, or endeavour to corrupt any person  
 4 in the Navy, to betray his trust, shall suffer death, or such other pu-  
 5 nishment as a court martial shall adjudge.
24. 1 XIII. If any person in the Navy shall make, or attempt to make  
 2 any mutinous assembly, he shall on conviction thereof by a court  
 3 martial, suffer death, and if any person as aforesaid, shall utter any  
 4 seditious or mutinous words, or shall conceal, or connive at any  
 5 mutinous or seditious practices, or shall treat with contempt his  
 6 superior, being in the execution of his office, or being witness to any  
 7 mutiny or sedition shall not do his utmost to suppress it, he shall be  
 8 punished at the discretion of a court martial.
25. 1 XIV. No officer or private in the Navy shall disobey the lawful orders  
 2 of his superior officer, or strike him, or draw, or offer to draw, or  
 3 raise any weapon against him, while in the execution of the duties of  
 4 his office on pain of death, or such other punishment as a court martial  
 5 shall inflict.
27. 1 XV. No person in the Navy shall quarrel with any other person in  
 2 the Navy, nor use provoking or reproachful words, gestures, or  
 3 menaces on pain of such punishment as a court martial shall adjudge.
37. 1 XVI. If any person in the navy shall desert to an enemy or rebel,  
 2 he shall suffer death.
- 1 XVII. If any person in the Navy shall desert or shall entice others to  
 2 desert, he shall suffer death, or such other punishment as a court  
 3 martial shall adjudge ; and if any officer, or other person belonging  
 4 to the Navy shall receive or entertain any deserter from any other

5 vessel of the Navy knowing him to be such, and shall not with all  
 6 convenient speed, give notice of such deserter to the commander of  
 7 the vessel to which he belongs, or to the commander in chief, or to  
 8 the commander of the Squadron, he shall on conviction thereof, be  
 9 cashiered, or be punished at the discretion of a court martial. All  
 10 offences committed by persons belonging to the Navy while on  
 11 shore, shall be punished in the same manner as if they had been com-  
 12 mitted at sea.

43. 1 XVIII. If any person in the navy shall, knowingly, make or sign, or  
 2 shall aid, abet, direct, or procure the making or signing of any false  
 3 muster, or shall execute, or attempt, or countenance any fraud against  
 4 the United States, he shall on conviction, be cashiered and rendered  
 5 forever incapable of any future employment in the service of the  
 6 United States, and shall forfeit all the pay and subsistence due  
 7 him, and suffer such other punishment as a court martial shall in-  
 8 flict.

42. 1 XIX. If any officer or other person in the Navy, shall through inten-  
 2 tion, negligence or any other fault, suffer any vessel of the Navy to  
 3 be stranded, or run upon rocks or shoals, or hazarded, he shall suffer  
 4 such punishment as a court martial shall adjudge.

28. 1 XX. If any person in the Navy shall sleep upon his watch, or ne-  
 2 gligently perform the duty assigned him, or leave his station before  
 3 regularly relieved, he shall suffer death, or such punishment as the  
 4 Captain, if a private, or a court martial, if an officer, shall adjudge.

29. 1 XXI. All murder shall be punished with death.

1 XXII. The officers and privates of every ship or vessel appointed as  
 2 convoy to merchant or other vessels, shall diligently and faithfully

3 discharge the duties of their appointment, nor shall they demand or  
 4 exact any compensation for their services, nor maltreat any of the  
 5 officers or crews of such merchant or other vessels, on pain of ma-  
 6 king such reparation as a court of Admiralty may award, and of  
 7 suffering such further punishment as a court martial shall adjudge.

39. 1 XXIII. If any commander or other officer, shall receive or permit to  
 2 be received, on board his vessel, any goods or merchandize, other  
 3 than for the sole use of his vessel, except gold, silver, or jewels, and  
 4 except the goods or merchandize of vessels which may be in distress,  
 5 or shipwrecked, or in imminent danger of being shipwrecked, in  
 6 order to preserve them for their owner, without orders from the  
 7 President of the United States or the Navy Department, he shall on  
 8 conviction thereof be cashiered, and be incapacitated forever after-  
 9 wards, for any place or office in the Navy.

40. 1 XXIV. If any person in the Navy shall waste, imbezzle, or fraudulent-  
 2 ly buy, sell, or receive any ammunition, provisions, or other public  
 3 stores; or if any officer or other person shall knowingly permit through  
 4 design; negligence or inattention; any such waste, imbezzlement,  
 5 sale or receipt, every such person shall forfeit all the pay and subsi-  
 6 stence then due him, and suffer such further punishment as a court  
 7 martial shall direct.

41. 1 XXV. If any person in the Navy shall unlawfully set fire to, or burn,  
 2 or destroy, or shall not use his best exertions to prevent others from  
 3 so destroying any kind of public property not then in the possession  
 4 of an enemy, pirate, or rebel, he shall suffer death.

30. 1 XXVI. All robbery and theft, not exceeding twenty dollars, shall be.

2 punished at the discretion of the Captain, and above that sum, as a  
3 court martial shall direct.

45. 1 XXVII. If any person in the Navy shall, when on shore plunder,  
2 abuse or maltreat any inhabitant, or injure his property in any way  
3 he shall suffer such punishment as a court martial shall adjudge.

32. 1 XXVIII. Every person in the Navy shall use his utmost exertions to  
2 detect, apprehend and bring to punishment all offenders, and shall,  
3 at all times aid and assist all persons appointed for this purpose on  
4 pain of such punishment as a court martial shall adjudge.

7. 1 XXIX. Each commanding officer shall, whenever a seaman enters on  
8. 2 board, cause an accurate entry to be made in the ship's books, of  
9. 3 his name, time, and term of his service : and before sailing transmit  
4 to the Secretary of the Navy, a complete list or muster roll, of the  
5 officers and men under his command, with the date of their entering,  
6 time and terms of their service annexed, and shall cause similar lists  
7 to be made out on the first day of every second month, to be trans-  
8 mitted to the Secretary of the Navy, as opportunities shall occur  
9 —accounting in such lists or muster rolls, for any casualties which  
10 may have taken place since the last list or muster roll. He shall cause  
11 to be accurately minuted on the ship's books, the names of, and times  
12 at which any death or desertion may occur : and in case of death,  
20. 13 shall take care that the purser secure all the property of the de-  
14 ceased for the benefit of the legal representative of the deceased.  
19. 15 He shall cause frequent inspections to be made into the condition  
16 of the provisions, and use every precaution for its preservation—He  
17 shall, whenever he orders officers and men to take charge of a prize



18 and proceed to the United States. And whenever officers or men  
 19 are sent from his ship from whatever cause, take care that each  
 20 man be furnished with a complete statement of his account, specify-  
 21 ing the date of his enlistment, and the period and terms of his service,  
 22 which account shall be signed by the commanding officer and purser.  
 23 He shall cause the articles of war to be hung up in some public part  
 24 of the ship and read once a month to his ships company. He shall  
 25 cause a convenient place to be set apart for sick or disabled men,  
 26 to which he shall have them removed with their hammocks and  
 27 bedding, when the surgeon shall so advise, and shall direct that  
 28 some of the crew attend them and keep the place clean; and if  
 29 necessary shall direct that cradles and buckets with covers be made  
 30 for their use—and when his crew is finally paid off he shall attend  
 31 in person, or appoint a proper officer to see that justice be done to  
 32 the men, and to the United States in the settlement of the ac-  
 33 counts: any commanding officer offending herein shall be punish-  
 34 ed at the discretion of a court martial.

1 XXX. No commanding officer shall, of his own authority discharge a  
 4. 2 commission or warrant officer, nor strike, nor punish him other-  
 5. 3 wise than by suspension or confinement, nor shall he of his own au-  
 4 thority inflict a punishment on any private beyond twelve lashes  
 5 with a cat-of-nine-tails, nor shall he suffer any wired, or other than  
 6 a plain cat-of-nine-tails to be used on board his ship; nor shall any  
 7 officer who may command by accident, or in the absence of the  
 8 commanding officer, (except such commander be absent for a time  
 9 by leave) order or inflict any other punishment than confinement,

- 10 for which he shall account on the return of such absent commanding  
 11 officer. Nor shall any commanding officer receive on board any petty  
 12 officers or men turned over from any other vessel to him, unless each  
 12. 13 of such officers and men produce to him an account signed by the  
 14 captain and purser of the vessel from which they came, specifying  
 15 the date of such officer's or man's entry, the period and terms of  
 16 service, the sums paid and the balance due him, and the quality in  
 17 which he was rated on board such ship. Nor shall any command-  
 18 ing officer, having received any petty officer or man as aforesaid,  
 19 rate him in a lower or worse station than that in which he formerly  
 20 served. Any commanding officer offending herein shall be punish-  
 21 ed at the discretion of a court martial.
31. 1 XXXI. Any master at arms, or other person of whom the duty of  
 2 master at arms is required, who shall refuse to receive such prisoners  
 3 as shall be committed to his charge, or having received them, shall  
 4 suffer them to escape, or dismiss them without orders from proper  
 5 authority, shall suffer in such prisoners stead, or be punished other-  
 6 wise at the discretion of a court martial.
42. 1 XXXII. All crimes committed by persons belonging to the Navy,  
 2 which are not specified in the foregoing articles, shall be punished  
 3 according to the laws and customs in such cases at sea.
11. 1 XXXIII. All officers not holding commissions or warrants, or who  
 2 are not entitled to them, except such as are temporarily ap-  
 3 pointed to the duties of a commissioned or warrant officer, are  
 4 deemed petty officers.
13. 1 XXXIV. Any person entitled to wages or prize money may have

2 the same paid to his assignee, provided the assignment be attested  
 3 by the captain and purser: and in case of the assignment of wages,  
 4 the power shall specify the precise time they commence. But the  
 5 commander of every vessel is required to discourage his crew from  
 6 selling any part of their wages or prize money, and never to attest  
 7 any power of attorney until he is satisfied that the same is not  
 8 granted in consideration of money given for the purchase of wages  
 9 or prize money.

### NAVAL GENERAL COURTS MARTIAL.

47. 1 XXXV. General courts martial may be convened as often as the Pre-  
 2 sident of the United States, the Secretary of the Navy, or the com-  
 3 mander in chief of the fleet, or commander of a squadron, while  
 4 acting out of the United States, shall deem it necessary; *Provided*  
 5 that no general court martial shall consist of more than thirteen, nor  
 6 less than five members, and as many officers shall be summoned on  
 7 every such court as can be convened without injury to the service,  
 8 so as not to exceed thirteen, and the senior officer shall always pre-  
 9 side, the others ranking agreeably to the date of their commissions;  
 10 and in no case, where it can be avoided without injury to the service,  
 11 shall more than one half the members, exclusive of the President,  
 12 be junior to the officer to be tried.

48. 1 XXXVI. Each member of the court, before proceeding to trial  
 2 shall take the following oath or affirmation, which the Judge Ad-  
 3 vocate, or person officiating as such is hereby authorized to ad-  
 4 minister.

5 " I, A. B. do swear that I will truly try, without prejudice, or  
 6 " partiality the case now depending, according to the evidence

7 " which shall come before the court, the articles of war, and my  
 8 " own conscience ; and I do further swear that I will not by any  
 9 " means divulge or disclose the sentence of the court until it shall  
 10 " have been approved by the proper authority, nor will I at any time  
 11 " divulge or disclose the vote or opinion of any particular member  
 12 " of the court, unless required so to do before a court of justice in  
 13 " due course of law."

14 This oath being duly administered the President is authorized and  
 15 required to administer the following oath to the judge advocate, or  
 16 person officiating as such.

17 "I, *A. B.* do swear that I will keep a true record of the evi-  
 18 " dence given to and the proceedings of this court, nor will I  
 19 " divulge or by any means disclose the sentence of the court until it  
 20 " shall have been approved by the proper authority, nor will I at  
 21 " any time divulge or disclose the vote or opinion of any particular  
 22 " member of the court unless required so to do before a court of  
 23 " justice in due course of law."

1 SEC. 2. XXXVII. All testimony given to a general court  
 2 martial shall be on oath or affirmation, which the President of the  
 3 court is hereby authorized to administer, and if any person shall  
 4 refuse to give his evidence as aforesaid, or shall prevaricate, or shall  
 5 behave with contempt to the court, it shall and may be lawful for  
 6 the court to imprison such offender at their discretion provided that  
 7 the imprisonment in no case shall exceed two months: and every  
 8 person who shall commit wilful perjury on examination on oath or  
 9 affirmation before such court, or who shall corruptly procure, or  
 10 suborn any person to commit such wilful perjury, shall and may be

11 prosecuted by indictment or information in any court of justice of  
12 the United States, and shall suffer such penalties as are authorized  
13 by the laws of the United States in cases of perjury or the suborna-  
14 tion thereof. And in every prosecution for perjury or the suborna-  
15 tion thereof under this act, it shall be sufficient to set forth the of-  
16 fence charged on the defendant without setting forth the authority  
17 by which the court was held, or the particular matters brought or  
18 intended to be brought before the said court.

1 XXXVIII. All charges on which an application for a general  
2 court martial is founded, shall be exhibited in writing to the proper  
3 officer, and the person demanding the court shall take care that the  
4 person accused be furnished with a true copy of the charges, with  
5 the specifications at the time he is put under arrest, nor shall any  
6 other charge or charges than those so exhibited be urged against the  
7 person to be tried before the court, unless it appear to the court  
8 that intelligence of such charge had not reached the person demand-  
9 ing the court when the person so to be tried was put under arrest,  
10 or that some witness material to the support of such charge, who  
11 was at that time absent can now be produced; in which case reason-  
12 able time shall be given to the person to be tried to make his de-  
13 fence against such new charge. Every officer so arrested, is to  
14 deliver up his sword to his commanding officer, and to confine him-  
15 self to the limits assigned him, under pain of dismissal from service.

1 XXXIX. When the proceedings of any general court martial shall have  
2 commenced they shall not be suspended or delayed on account of the  
3 absence of any of the members provided five or more be assembled,  
4 but the court is enjoined to set from day to day, Sundays excepted,

5 until sentence be given : and no member of said court shall, after  
 6 the proceedings are begun, absent himself therefrom unless in case  
 7 of sickness or orders to go on duty from a superior officer, on pain  
 8 of being cashiered.

1 XL. Whenever a court martial shall sentence any officer to be  
 2 suspended, the court shall have power to suspend his pay and emo-  
 3 luments for the whole or any part of the time of his suspension.

49. 1 XLI. All sentences of courts martial which shall extend to the loss  
 2 of life, shall require the concurrence of two thirds of the members  
 3 present, and no such sentence shall be carried into execution until  
 4 confirmed by the President of the United States ; or if the trial take  
 5 place out of the United States, until it be confirmed by the com-  
 6 mander of the fleet or Squadron—all other sentences may be deter-  
 7 mined by a majority of votes, and carried into execution on con-  
 8 firmation of the commander of the fleet, or officer ordering the court  
 9 except such as go to the dismissal of a commissioned or warrant  
 10 officer, which are first to be approved by the President of the United  
 11 States.

12 A court martial shall not for any one offence, not capital, inflict a  
 13 punishment beyond one hundred lashes.

50. 1 XLII. The President of the United States, or when the trial takes  
 2 place out of the United States, the commander of the fleet or Squad-  
 3 ron shall possess full power to pardon any offence committed against  
 4 these articles after conviction, or to mitigate the punishment decreed  
 5 by a court martial.

1 SEC. 2. I. *And be it enacted*, That courts of enquiry may be ordered  
 2 by the President of the United States, the Secretary of the Navy,

3 or the commander of a fleet or squadron, provided such court shall  
 4 not consist of more than three members who shall be commissioned  
 5 officers, and a judge advocate, or person to do duty as such: and  
 6 such courts shall have power to summon witnesses, administer oaths,  
 7 and punish contempt in the same manner as courts martial.

8 But such court shall merely state facts, and not give their opinion  
 9 unless expressly required so to do in the order for convening, and  
 10 the party accused shall have permission to cross-examine all the  
 11 witnesses.

1 II. The proceedings of courts of enquiry shall be authenticated by  
 2 the signature of the president of the court and judge advocate, and  
 3 shall in all cases not capital, or extending to the dismissal of a com-  
 4 missioned or warrant officer, be evidence before a court martial,  
 5 provided, oral testimony cannot be obtained.

1 III. The judge advocate or person officiating as such shall administer  
 2 to the members the following oath.

3 “ You do swear well and truly to examine, and enquire, according  
 4 “ to the evidence, into the matter now before you without partiality  
 5 “ or prejudice.”

6 “ After which the president shall administer to the judge advocate,  
 7 “ or person officiating as such, the following oath.

8 “ You do swear truly to record the proceedings of this court, and  
 9 “ the evidence to be given in the case in hearing.

SEC. 3. 1 SEC. 3. *And be it further enacted*, That in all cases where the crews  
 2 of the ships or vessels of the United States shall be separated from  
 3 their vessels by the latter being wrecked lost or destroyed, all the  
 4 command, power and authority given to the officers of such ships or

5 vessels shall remain and be in full force as effectually as if such ship  
 6 or vessel were not so wrecked, lost, or destroyed, until such ships  
 7 company be regularly discharged from, or ordered again into the  
 8 service, or until a court martial shall be held to enquire into the loss  
 9 of such ship or vessel; and if by the sentence of such court, or other  
 10 satisfactory evidence, it shall appear that all or any of the officers  
 11 and men of such ships company did their utmost to preserve her, and  
 12 after the loss thereof behaved themselves agreeably to the discipline  
 13 of the Navy, then the pay and emoluments of such officers and men,  
 14 or such of them as shall have done their duty as aforesaid shall go on  
 15 until their discharge or death; and every officer or private who shall,  
 16 after the loss of such vessel, act contrary to the discipline of the Navy  
 17 shall be punished at the discretion of a court martial in the same  
 18 manner as if such vessel had not been so lost.

SEC. 4. 1 SEC. 4. *And be it further enacted*, That all the pay and emoluments of  
 2 such officers and men of any of the ships or vessels of the United  
 3 States, taken by an enemy, who shall appear by the sentence of a court  
 4 martial or otherwise to have done their utmost to preserve and de-  
 5 fend their ship or vessel, and after the taking thereof have behaved  
 6 themselves obediently to their superiors agreeably to the discipline of  
 7 the Navy, shall go on and be paid them until their death, exchange,  
 8 or discharge.

SEC. 5. 1 SEC. 5. *And be it further enacted*, That all ships and vessels, and  
 2 the goods taken on board of them, being of equal or superior force  
 3 to the vessel or vessels making the capture shall be the sole property  
 4 of the captors; but all vessels and their cargoes, of inferior force



5 shall be divided equally between the United States and the officers  
6 and men making the capture.

1 SEC. 6. *And be it enacted*, That the prize money belonging to  
2 the officers and men shall be distributed in the following manner.

1 I. To the commanding officers of fleets, squadrons, or single  
2 ships, three twentieths, of which the commanding officer of the  
3 fleet or squadron shall have one twentieth, if the prize be taken  
4 by a ship or vessel acting under his command, and the commander  
5 of single ships, two twentieths, but where the prize is taken by a  
6 ship acting independently of such superior officer, the three twen-  
7 tieths shall belong to her commander.

1 II. To sea lieutenants, captains of marines, and sailing masters,  
2 two twentieths ; but where there is a captain, without a lieutenant  
3 of marines, these officers shall be entitled to two twentieths and  
4 one third of a twentieth, which third in such case shall be deducted  
5 from the share of the officers mentioned in Article No. III. of this  
6 section.

1 III. To chaplains, lieutenants of marines, surgeons, purfers,  
2 boatswains, gunners, carpenters, and masters mates, two twen-  
3 tieths.

1 IV. To midshipmen, surgeons mates, captains clerks, school-  
2 masters, boatswains mates, gunners mates, carpenters mates, ships  
3 stewards, sail makers, masters at arms, armourers and cockswains,  
4 three twentieths.

1 V. To gunners yeomen, boatswains yeomen, quarter masters,  
2 quarter gunners, coopers, sail makers mates, sergeants and cor-

3 porals of marines, drummers, fifiers and extra petty officers, three  
4 twentieths.

1 VI. To seamen, ordinary seamen, marines, and all other persons  
2 doing duty on board, seven twentieths.

1 VII. Whenever one or more public ships or vessels are in fight  
2 at the time any one or more ships are taking a prize or prizes, they  
3 shall all share equally in the prize or prizes according to the number  
4 of men and guns on board each ship in fight.

1 No commander of a fleet or squadron shall be entitled to receive  
2 any share of prizes taken by vessels not under his immediate com-  
3 mand; nor of such prizes as may have been taken by ships or  
4 vessels intended to be placed under his command, before they have  
5 acted under his immediate orders; nor shall a commander of a fleet  
6 or squadron leaving the station where he had the command have any  
7 share in prizes taken by ships left on such station after he has gone  
8 out of the limits of his said command.

1 SEC. 7. *And be it further enacted*, That a bounty shall be paid  
2 by the United States of twenty dollars for each person on board any  
3 ship of an enemy at the commencement of an engagement, which  
4 shall be sunk or destroyed by any ship or vessel belonging to the  
5 United States of equal or inferior force, the same to be divided  
6 among the officers and crew in the same manner as prize money.

SEC. 8. 1 SEC. 8. *And be it further enacted*, That every officer, seaman or  
2 marine, disabled in the line of his duty shall be entitled to receive  
3 for life, or during his disability a pension from the United States  
4 according to the nature and degree of his disability, not exceeding  
5 one half his monthly pay.

1 SEC. 9. *And be it enacted,* That all money accruing, or  
2 which has already accrued to the United States from the sales of  
3 prizes, shall be and remain forever a fund for the payment of pen-  
4 sions and half pay, should the same be hereafter ganted, to the  
5 officers and seamen who may be entitled to receive the same; and  
6 if the said fund shall be insufficient for the purpose, the public faith  
7 is hereby pledged to make up the deficiency; but if it should be  
8 more than sufficient, the surplus shall be applied to the making of  
9 further provision for the comfort of the disabled officers, seamen,  
10 and marines, and for such as, though not disabled, may merit by  
11 their bravery, or long and faithful services, the gratitude of their  
12 country.

1 SEC. 10. *And be it further enacted,* That the said fund shall be under  
2 the management and direction of the Secretary of the Navy, the  
3 Secretary of the Treasury, and the Secretary of war for the time  
4 being, who are hereby authorized to receive any sums to which the  
5 United States may be entitled from the sales of prizes, and employ  
6 and invest the same and the interest arising therefrom in any manner  
7 which a majority of them may deem most advantageous: and it shall  
8 be the duty of the said commissioners to lay before Congress annually,  
9 in the first week of their session a minute statement of their proceed-  
10 ings relative to the management of said fund.

1 SEC. 11. *And be it further enacted,* That no rules or regulations  
2 made by any commander in chief, captain, or commanding officer  
3 in the Navy for stationing, designating of duty and government of the  
4 fleet, or any of the crews of any vessel of war, shall be at variance  
5 with this act, but shall be strictly conformable thereto.

SEC. 12. *And be it further enacted,* That the act passed the  
day of            in the year 1799, "entitled an act for the government  
of the Navy of the United States," shall cease and be of no effect  
after the passing of this act.